

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

EQUAL EMPLOYMENT OPPORTUNITY	§
COMMISSION,	§
	§
Plaintiff,	§
	§
VS.	§ CIVIL ACTION NO. 3:15-4655-MGL-TER
	§
	§
	§
CORRECT CARE SOLUTIONS, LLC,	§
	§
Defendant.	§

## ORDER ADOPTING THE REPORT AND RECOMMENDATION, GRANTING PLAINTIFF'S MOTION TO DISMISS, DISMISSING THE CASE WITH PREJUDICE, AND DENYING AN AWARD OF ATTORNEY'S FEES

Thi is an employment discrimination action. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting Plaintiff's motion to dismiss be granted, the case be dismissed with prejudice, and an award of attorney's fees be denied. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may

accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or

recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on June 23, 2017, but neither party filed any objections

to the Report. "[I]n the absence of a timely filed objection, a district court need not conduct a de

novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record

in order to accept the recommendation." Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310,

315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note). Moreover, a failure to

object waives appellate review. Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case pursuant to the standard set

forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of

this Court Plaintiff's motion to dismiss is GRANTED, the case is DISMISSED WITH

**PREJUDICE**, and an award of attorney's fees is **DENIED**.

IT IS SO ORDERED.

Signed this 10th day of July, 2017, in Columbia, South Carolina.

s/ Mary Geiger Lewis

MARY GEIGER LEWIS

UNITED STATES DISTRICT JUDGE

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